

1 Nicole Maldonado (SBN 207715)

2 Admitted *Pro hac vice*

2 nmaldonado@baumhedlundlaw.com

3 **BAUM HEDLUND ARISTEI & GOLDMAN**

3 10940 Wilshire Blvd., Floor 17

4 Los Angeles, CA 90024

4 Tel: 310-207-3233; Fax: 310-820-7444

5 *Attorney for Plaintiffs*

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF ARIZONA**

9 IN RE: Bard IVC Filters Products Liability
10 Litigation

) **No.: 2:15-MD-02641-DGC**

) **PLAINTIFFS' STATUS REPORT**

) **FOR THE SIMON NITINOL FILTER
CASES AND REQUEST TO ADD
MORE ACCURATE INFORMATION
TO THE COURT BY JULY 15, 2019**

14 This document relates to:

15 *Simon Nitinol Filter Cases*

17 In accordance with the Court's Order on April 29, 2019, Docket Number 17453, counsel for
18 two of the Simon Nitinol Filter ("SNF") cases (*Valentine*, Case No. 17-cv-0579, and *Salmon*, Case No.
19 17-cv-2866), Nicole Maldonado, hereby submits her Status Report regarding the SNF cases currently
20 filed so that a determination can be made on the best way to proceed on these cases, whether it be
21 remand, proceed with the MDL, or set another status date in order to get a more accurate count of
22 cases that are settling.

24 Over the last several weeks, Ms. Maldonado has been in contact with lead counsel for both the
25 Plaintiffs and Defendants in the Bard retrievable litigation and has reached out several times to all the
26 firms that have SNF cases filed in this Court. To date, with the exception of a few firms, most of the
27

1 firms with SNF cases have responded. According to the responses, it appears that most of the SNF
 2 cases filed with this Court have settled or are in the process of settling. Please see the table, below.

Firm	Yes, settled or negotiating	No, not negotiating	Have not responded
Anapol Weiss	X		
Aylstock			X (has two cases)
Babbitt & Johnson	X		
Baird Brown		X (has one case)	
Baum Hedlund	X		
Bertram & Graf	X		
Branch Law Firm			X (has one case)
Burnett Law Firm	X		
Chaffin Luhana	X		
Comeaux	X		
Fenstersheib Law Group	X		
Flint			X (has one case)
Freese & Goss	X		
Gallagher Law Firm	X		
Garland Samuel Loeb	X		
Gray & White			X (has one case)
Guajardo & Marks	X		
James Vernon Weeks		X (has one case)	
Kirkendall Dwyer	X		
Marc J. Bern & Partners			X (has twenty-nine cases)

	Firm	Yes, settled or negotiating	No, not negotiating	Have not responded
1	Matthews Law Firm	X		
2	McDonald Worley			X (has six cases)
3	McSweeney Langevin			X (has one case)
4	Miller Law Firm	X		
5	Meyers & Flowers	X		
6	Murphy Law Firm	X		
7	Napoli Shkolnik		X (has two cases)	
8	Nemeroff Law Firm			X (has one case)
9	Padberg		X (has one case)	
10	Phelan Petty	X		
11	Plezia & Associates			X (has one case)
12	Potts Law	X		
13	Rosenbaum & Rosenbaum	X		
14	Simon Law Firm			X (has one case)
15	Sherwood McCormick & Robert			X (has one case)
16	Tautfest Bond	X		
17	Tor Hoerman Law	X		
18	Wilshire		X (has three cases)	

With respect to the firms that have not settled or are not currently negotiating their SNF cases, and the firms that Ms. Maldonado has not heard back from, perhaps an additional two weeks will shed some more insight on whether there will be additional SNF cases settling. Defense counsel, Matthew Lerner, has recently informed Ms. Maldonado that some of the SNF cases will be in track 1 or 2, and

1 because those lists are ever-evolving at the moment, until there is a final list, it may not be entirely
2 clear how many SNF cases will actually remain. Thus, Ms. Maldonado is willing to update this Status
3 Report for the Court on July 15, 2019, so that the Court will have the most current up-to-date
4 information.

5 Dated: July 1, 2019

6 Respectfully Submitted,

7 /s/ Nicole K.H. Maldonado
8 Nicole K.H. Maldonado, Esq., CA Bar No. 207715
9 *Admitted Pro Hac Vice*
10 BAUM HEDLUND ARISTEI & GOLDMAN, P.C.
11 12100 Wilshire Blvd., Suite 950
12 Los Angeles, CA 90025
13 (310) 207-3233 Tel
14 (310) 820-7444 Fax
15 nmaldonado@baumhedlundlaw.com

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CERTIFICATE OF SERVICE

I hereby certify that on this day, July 2, 2019, a copy of the foregoing was filed electronically notice of the service of this document will be sent to all parties by operation of the Court's electronic filing system to CM/ECF participants registered to receive service in this matter.

Dated: July 1, 2019

/s/ Nicole K.H. Maldonado

Nicole K.H. Maldondo